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Attorney for Defendant
CYNTHIA SEELEY

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. 2:20-CR-0202-DJC
Plaintiff,)	
vs.)	STIPULATION AND ORDER
)	CONTINUING STATUS CONFERENCE
CYNTHIA SEELEY,)	
Defendant.)	Judge: Hon. Daniel J. Calabretta
)	Date: December 14, 2023
)	Time: 9:00 a.m.

Plaintiff, United States of America, and defendant, Cynthia Seeley, hereby stipulate that the status conference scheduled for December 14, 2023, may be continued to January 18, 2024, at 9:00 a.m., and time excluded for the reasons stated below. The parties stipulate as follows:

1. The parties reached a pretrial diversion agreement in June 2023 that, in relevant part, requires Ms. Seeley to make a monthly payment of at least \$30 to the government. *See* ECF No. 90 p. 2. It appears that her payments for the months of November and December 2023 were mistakenly labeled and incorrectly addressed so they have not been received by the government. Defense counsel is in communication with Ms. Seeley, about the steps she needs to take to remedy these mistakes so that she can be

- brought into compliance with the terms of the pretrial diversion agreement. Defense counsel will continue to work with Ms. Seeley in an effort to remedy the error and bring Ms. Seeley into compliance prior to January 18, 2024.
2. Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.
 3. For the purposes of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the parties agree that time period of December 14, 2023 to January 18, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(2), (h)(7)(A), to allow Ms. Seeley time to demonstrate her compliance with the terms of the pretrial diversion agreement.
 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.
- IT IS SO STIPULATED.

Respectfully Submitted,

Dated: December 10, 2023

/s/ Tim Zindel
TIMOTHY ZINDEL
Attorney for CYNTHIA SEELEY

PHILLIP A. TALBERT
United States Attorney

Dated: December 10, 2023

/s/ T. Zindel for Shelley Weger
SHELLEY WEGER
Assistant U.S. Attorney

ORDER

The status conference is continued to from December 14, 2023, to January 18, 2024, at 9:00 a.m. Time is excluded from December 14, 2023 to January 18, 2024, inclusive, pursuant to 18 U.S.C. § 3161(h)(2), (h)(7)(A) for the reasons set forth in the parties' stipulation above.

IT IS SO ORDERED.

Dated: December 11, 2023

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE